

whatsoever to comply with the judgment or to appear for the Judgement Debtor Examination as ordered by the Court.

As this Court is likely already aware, federal courts have the inherent power to punish for contempt. *Roadway Express, Inc. v. Piper*, 447 U.S. 752, 764, 100 S.Ct. 2455, 2463, 65 L.Ed.2d 488 (1908); *Hornbeck Offshore Services, L.L.C. v. Salazar*, 713 F.3d 787, 792 (5th Cir. 2013).

“A party commits contempt when he violates a definite and specific order of the court requiring him to perform . . . a particular act or acts with knowledge of the court’s order.” *Hornbeck Offshore, supra* (quoting *Travelhost, Inc. v. Blandford*, 68 F.3d 958, 961 5th Cir. 1995).

In this matter, the failure of the plaintiff to appear as ordered by this Court to appear on November 22, 2016 certainly constitutes the violation of an order “requiring [them] to perform a particular act.” This is particularly true in light of the fact that Mr. Perret is a licensed attorney and an officer of the Court. In addition, the plaintiffs just as certainly had adequate notice of the order by way of personal service of the order upon the registered office of Trout Point Lodge on October 6, 2016.

Thus, movant request the Court to exercise its jurisdiction and to compel the physical presence of Mr. Leary and Mr. Perret, as representatives of Trout Point Lodge Limited and, after a hearing, find them in active and flagrant contempt of this Honorable Court and to award to movant such additional sanctions as the Court finds appropriate.

WHEREFORE, movant pray that the Court issue an arrest warrant to compel Charles Leary, Vaugh Perret and Trout Point Lodge Limited to personally appear before it, at a time and place to be fixed by the Court, and show cause why they should not be held in contempt of this Honorable Court for their failure to appear for the Judgment Debtor Examination on November

22, 2016 as ordered by the Court. In addition, at that same time and place, defendant requests the privilege of examining the judgment debtors herein and for such additional sanctions as the Court finds appropriate.

Respectfully submitted this 16th day of May, 2017,

/s/ G. Gerald Cruthird
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CERTIFICATE OF SERVICE

I, G. Gerald Cruthird, Attorney for Doug K. Handshoe, do hereby certify that I have this date electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification to all counsel of record upon filing by the Clerk and via U. S. Mail upon any non-ECF participants at their address of record at 140 Trout Point Road, Kemptville, Nova Scotia, B5A 5X9.

So certified, this 16th day of May, 2017,

/s/G. Gerald Cruthird

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